

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

Notice of Market Dominant
Price Adjustment

Docket No. R2018-1

CHAIRMAN'S INFORMATION REQUEST NO. 6

(Issued October 25, 2017)

The Postal Service is requested to provide written responses and additional filings, when appropriate, to the following questions and requests for information. Responses to individual questions and, if applicable, additional filings, should be provided as soon as they are developed, but no later than October 27, 2017.

International First-Class Mail

1. Please refer to Library Reference USPS–LR–R2018–1/NP1, October 6, 2017, Excel files “USPS-FY16-41.xls,” “Q117_MKT_DOMINANT_INTL_BD.xls,” “Q217_MKT_DOMINANT_INTL_BD.xls,” and “Q317_MKT_DOMINANT_INTL_BD.xls.”
 - a. Does the Postal Service object to filing an additional public library reference containing the files identified above? If not, please file an additional public library reference with unredacted versions of these Excel files with the response.
 - b. If the Postal Service objects to submitting these files in a public library reference, please explain the basis for the objection.
 - i. Please identify the specific statutory basis for the objection, justify the application of the statute to the above-identified Excel files in USPS–LR–R2018–1/NP1, and explain the nature and extent of the commercial harm alleged to result from disclosure and the

likelihood of such harm occurring. See 39 C.F.R. §§ 3007.21(c)(1), (4).

- ii. Please explain the likelihood of the commercial harm alleged to result from disclosure given that the Postal Service has made outbound market dominant billing determinant information public in other documents filed before the Commission. See, e.g., Docket No. ACR2016, Library Reference USPS–FY16–41, December 29, 2016. Please refer also to ZIP folder “documents.zip,” folder “1Q17 Billing Determinants – Public,” Excel file “1Q17 Mkt Dominant Intl BD – Public.xls;”¹ ZIP folder “2Q 2017 Billing Determinants_PUBLIC.zip,” folder “2Q 2017 Billing Determinants – Public (6-6-2017),” Excel file “2Q17 Mkt Dominant Intl BD – Public.xls;”² and ZIP folder “Billing Determinants_Q3_FY2017_Public.zip,” folder “Q3 2017 Billing Determinants – Public (8-24-2017),” Excel file “3Q17 Mkt Dominant Intl BD – Public.xls.”³
- iii. Please specify if the objection applies to all or a particular part or tab of the above-referenced Excel files.

¹ Billing Determinants for Quarter 1 of Fiscal Year 2017, March 30, 2017, available at: <https://www.prc.gov/dockets/document/99678>.

² Billing Determinants for Quarter 2 of Fiscal Year 2017, June 6, 2017, available at: <https://www.prc.gov/dockets/document/100291>.

³ Billing Determinants for Quarter 3 of Fiscal Year 2017, August 24, 2017, available at: <https://www.prc.gov/dockets/document/101341>.

2.
 - a. What is the legal basis for the statement that changes in rates for Inbound Letter Post are "outside the Postal Service's control"?
 - b. If these rates are not determined by the Postal Service, what government agency requires the Postal Service to implement these rates and under what legal authority?
 - c. Please submit copies of all legal directives or analyses which establish or substantiate the statement that the rates for Inbound Letter Post are "outside the Postal Service's control" and identify the authority that exercises such control.
 3.
 - a. If the Postal Service is legally obliged to charge UPU terminal dues rates for delivery of Inbound Letter Post received from some UPU member countries, to which origin countries does this obligation apply?
 - b. For clarification, please identify which UPU member countries were bound, as a matter of international law, to implement the terminal dues rates of the 2012 UPU Convention on January 1, 2014?
 - c. Which countries are today bound to implement the terminal dues rates of the 2012 UPU Convention?
 - d. Which UPU member countries are likely to be bound, as a matter of international law, to implement the terminal dues rates of the 2016 UPU Convention on January 1, 2018?
 - e. Please provide any documentation or legal analyses which provide the basis for the above answers.
 4.
 - a. If the Postal Service is not legally obliged to charge UPU terminal dues rates for delivery of Inbound Letter Post, then is the legal basis for the proposed rates found under 39 U.S.C. § 404(b)?

- b. If yes, what considerations, if any, justify charging more or less for the delivery of Inbound Letter Post than for the delivery of similar domestic mail (i.e., domestic mail with similar characteristics that has been aggregated and tendered in a similar manner)?
 - c. Why should rates for the delivery of Inbound Letter Post not be equally available to domestic mailers under the same conditions?
 - d. Please provide any documentation or legal analyses which provide the basis the above answers.
- 5.
 - a. Please provide a comparison by domestic rate cell of (1) the rates proposed for delivery of Inbound Letter Post, (2) the rates proposed for the delivery of equivalent domestic mail as determined by the Postal Service, and (3) the rates proposed for the delivery of equivalent domestic mail as determined according the UPU's estimation that terminal dues should be equal to 70 percent of domestic first class retail rates.
 - b. Please explain specifically how the rates in item (2) are calculated and the differences, if any, from the rates in item (3).

By the Chairman.

Robert G. Taub